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June 3, 2014

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The Hon. Magistrate Judge Joseph C. Spero
c/o ADR Unit United States District Court
United States District Court
Northern District of California
450 Golden Gate Avenue, 16th Floor
San Francisco, CA 94102

Re: Baird v. Office Depot
Case No. 3:12-cv-06316

Dear Judge Spero:

Defendant Office Depot, Inc. requests that its corporate representative for the Settlement Conference be allowed to attend the Settlement Conference telephonically. Office Depot is not requesting that its representative be on "telephone stand-by" to be contacted only intermittently. Rather, Office Depot requests that its representative be allowed to attend the conference and participate in discussions real-time with you on a speakerphone. In other words, Office Depot's representative would be personally involved in all discussions held during the conference; he would just not be physically present.

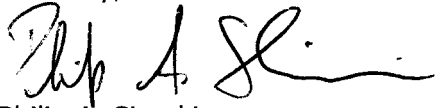
The reason for this request is that Office Depot's representative, who has been its representative for this case from its inception, is located in Florida. Appearing in person will constitute a hardship due to the expedited basis on which this conference needs to be scheduled and the fact that his personal attendance would require Office Depot's representative to take two days out of his hectic schedule, on very short notice, in order to travel from Florida to San Francisco.

Prior to agreeing to submit a joint request for settlement conference, Office Depot identified to Plaintiff's counsel its need to have its representative attend the conference by speakerphone. Plaintiff's counsel responded that he had no objection to such telephonic appearance. In the parties' joint request for referral to a settlement conference, Office Depot also notified Judge Chen that Office Depot's need to have its corporate representative appear by speakerphone.

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Based on the above, Office Depot respectfully requests that its corporate representative be allowed to attend the Settlement Conference by speakerphone.

Sincerely,



Philip A. Simpkins
Littler Mendelson, P.C.
Counsel for Defendant Office Depot, Inc.

PAS/gc

cc: Richard M. Rogers, Attorney for Plaintiff

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Dated: 6/5/14

